Answer

There were two Monazite factories at Manavalakurichi near Colachel, one belonging to the Travancore Minerals Company and the other to Messrs Hopkin & Williams Ltd. Both the factories were closed in 1948.. The Travancore Minerals Company has since been purchased by the Government, and Government are remodelling their monazite factory at Manavalakurichi so that work may be resumed soon. Government have no information when the factory of Messrs Hopkin & Williams Ltd. will be re-opened.

Point of Order re. Sry. Thankamma N. Menon

Sri. P. Nanoo: Sir, on a point of order. I understand from the Members of the House that a lady who was recently elected as Member of this House has not been sworn in. I further understand that that lady has sent up a letter of resignation to the Hon. Speaker. May I know, Sir, whether the lady is entitled to occupy a seat assigned to the Members of this hon. House?

Mr. Speaker: Regarding the point of order raised by Mr. Nanoo I have to state that it has been notified that Sry. Thankamma N. Menon has been elected as a member of this hon. House. She is to occupy a seat for the purpose of being sworn in and for that purpose alone.

With regard to the other question raised, it is a matter that would arise before she is sworn in. The objection, if any, will be considered then.

Sri. P. Nanoo: May I know whether she has sent up a lettar of resignation to the Speaker?

Mr. Speaker: I have already ruled that all objections will be considered before she is sworn in.

Motions of No-Confidence against Government

Mr. Speaker: Notice have been received of two motions of no-confidence and they have been printed and circulated among the hon. Members. The first in the order of priority stands in the name of Mr. Gnanasigamoni. I am afraid the motion of Mr. Gnanasigamony is out of order. The motion is sent in under Rule 30 of the Legislative Assembly Rules. According to that rule; "A motion expressing want of confidence in the Council of Ministers may be made", etc. According to the wording used by Mr. Gnanasigamoni, this is not a motion expressing want of confidence in the Council of Ministers. I would like to hear the Advocate-General on the point to see whether the motion is in order or not.

Advocate-General **(Sri. Taikad N. Subramania Aiyar):** Sir, under rule 30 of the Legislative Assembly Rules, a motion expressing wsnt of confidence in the Council of Ministers may be made subject to the following restrictions, namely,— (*a*) leave to make the motion must be asked for after questions and before the list of business for the day is entered upon"; etc. Under the Constitution, the Government as such takes in the Legislature no doubt, but the words are not interchangeable, and the concept "Legislative Assembly" is not the same thing as Government.

I might, Sir, in this connection invite the attention of the hon. Members to Article 163 (1) of the Constitution. It says: "There shall be a Council of Ministers with the Chief Minister at the head to aid and advice the Governor in the exercise of his functions, except in so far as he is by or under this Constitution required to exercise his functions or any of them in his discretion." Article 154 (1) says: "The executive power of the State shall be vested in the Governor and shall be exercised by him either directly or through officers subordinate to him in accordance with this

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